

**American Moving and Storage Association**

1611 Duke Street, Alexandria, Virginia 22314-3482

Tel (703) 683-7410 • Fax (703) 683-7527

Web: [www.promover.org](http://www.promover.org)[www.moving.org](http://www.moving.org)

April 29, 2004

Via Facsimile

The Honorable Annette M. Sandberg, Administrator  
United States Department of Transportation  
Federal Motor Carrier Safety Administration  
400 7<sup>th</sup> Street, SW  
Room 8202  
Washington, DC 20590

FMCSA-97-2979-89-89

2004 APR 30 A 9:13

DEPT OF TRANSPORTATION  
DOCKETS

Re: Docket No.FMCSA-97-2979 Transportation of Household Goods;  
Consumer Protection Regulations

Dear Administrator Sandberg:

The impending May 5, 2004, date set by your Administration for compliance with the revised Household Goods Consumer Protection Regulations (CPR) requires that I call to your attention the service disruptions AMSA anticipates will result from the moving industry's inability to train its sales and operating personnel in the proper application of the new regulations. I cannot adequately address through this correspondence the urgency of this situation; however, the circumstances we foresee require that I communicate directly with you concerning our level of concern on this matter.

Current forecasts indicate the 2004 Moving Season (May15 through September 15) will be robust and will significantly surpass the previous three years' service requirements. This means the industry's resources will be stretched to their limit. Past experience indicates that when this occurs, equipment availability and service delay problems can seriously disrupt the industry's ability to operate in a satisfactory manner. Add to this for the 2004 Season the necessity of training tens of thousands of salespersons, roughly 30,000 independent owner-operator drivers and their supporting personnel in the proper application of the revised regulations and a formula for major service failures on an industry-wide basis has been unwittingly devised. You can rest assured that my purpose in calling this to your attention is motivated strictly by a need to attempt to avoid large scale consumer dissatisfaction and the service complaints that will surely be lodged with your Administration, Members of Congress and AMSA throughout the 2004 Season.

Industry data indicates that contractual arrangements underlying approximately 40 percent of the estimated 365,000 consumer shipments that will be transported during the 2004 peak season have been consummated.<sup>1</sup> Since these 146,000 booked shipments will move after the

<sup>1</sup> AMSA estimates that approximately 700,000 C.O.D. household goods shipments will be transported by AMSA members this year and that 52 percent of them will be transported during the peak season (May 15-Sept. 30). Also, customers enter into contracts with movers to relocate generally between 30 and 90 days prior to an actual move. It is estimated, that based on this practice, 40% of this peak season's moves have already been booked and contracted for, and movers have provided customers with notice and paperwork requirements pursuant to the current consumer protection regulations.

-2-

May 5 compliance date, AMSA carriers are placed in the awkward position of advising those consumer shippers that the regulations governing their move have changed since their service arrangements were concluded and that new regulations impose markedly different requirements on movers. As a result, we anticipate that many carriers will confirm their previous orders for service commitments and will advise their customers that requests for additional services beyond those previously agreed to may not be honored. This is a situation that should not be allowed to develop since the new regulations are intended to assist consumers in their dealings with movers. They should not become the catalyst for disputes between carriers and consumers.

Obviously, the circumstances I anticipate and have attempted to describe to you are entirely contrary to the interests of consumer shippers. I believe the record in the CPR proceeding clearly indicates that an overwhelming majority of the legitimate moving industry as represented by AMSA and its 2,000 interstate certificated carrier members has supported revisions in the existing regulations that will benefit ordinary consumers. AMSA members are committed to adherence to a regulatory regime that assists consumers and, at the same time, makes it more difficult for rogue movers to prey on the public. However, legitimate movers should not be placed in the position of failing to properly interpret and apply regulations they, by and large, support simply because they have not been given adequate time to train their personnel. And, of course, required training must begin with carrier management's dissemination of accurate information to agents, salespersons, drivers and other operating personnel. The fact that carrier management has been preparing for a busy Moving Season has not provided time for the training that must eventually be conducted to properly apply the revised regulations. In this connection I ask that you also bear in mind that the final version of the revised regulations was not released to the public until the FMCSA notice was issued on April 2, 2004.

I urge you to consider this formal request of AMSA to postpone the scheduled May 5, 2004, compliance date to a date beyond November 30, 2004. Granting this request will serve the interests of consumer shippers and the legitimate moving industry. Your consideration of this important matter is appreciated.

Sincerely,

AMERICAN MOVING AND STORAGE ASSOCIATION



Joe Harrison  
President

cc: Warren Hoemann  
William MacLeod  
Charles A. Horan  
James R Keenan  
Nathaniel Jackson